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Attorney Docket No. S-3-1

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I hereby certify that the following COMMUNICATION for RONALD A. UNDERWOOD et al., Application No. 09/512,742, filed February 24, 2000, is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

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PATENT
Attorney Docket No.: S-3-1

On November 19, 2003
By Kate Zarzana
Kate Zarzana

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

RONALD A. UNDERWOOD et al.

Application No.: 09/512,742

Filed: February 24, 2000

For: **METHODS FOR
ELECTROSURGICAL TISSUE
CONTRACTION WITHIN THE SPINE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Examiner: Lee S. Cohen

Art Unit: 3739

COMMUNICATION

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Sir:

Applicant received the Notice of Allowance and Notice of Allowability mailed November 14, 2003 for the subject application. The Notice of Allowability indicates the allowed claims are 52-59 and does not make reference to new claims 60-68 which were added in Applicant's Amendment dated August 20, 2003 (filed along with an RCE). Applicant also notes a copy of Form 1449 (also filed on Aug. 20, 2003) has not been returned with the Examiner's initials.

Applicant respectfully requests clarification of the status of the allowed claims and a copy of the initialed Form 1449. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (408) 736-0224.

Respectfully submitted,

Richard R. Batt
Reg. No. 43,485

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